

IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

v.

No. 11-2328

DTE ENERGY CO., *et al.*,

Defendant-Appellees.

UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendant-Appellees DTE Energy Company and The Detroit Edison Company (collectively, "Detroit Edison") move for a 40-day extension of time to file their response brief in this matter. Plaintiff-Appellant does not oppose this motion. Detroit Edison's brief is currently due on March 21, 2012; if the Court grants this motion, the brief instead would be due on April 30, 2012.

Detroit Edison asks for this extension to accommodate competing demands on the time of its lead counsel. Specifically, the undersigned is currently involved in two major challenges to EPA rules in the United States Court of Appeals for the District of Columbia Circuit, with deadlines in February, March and mid-April. In one of those cases, counsel will be arguing on behalf of a collection of petitioners in a two-day oral argument scheduled for February 28-29, 2012. In the other case, the undersigned is liaison counsel for dozens of industry and labor petitioners, with briefs due on March 12, 2012 and oral argument scheduled for April 13, 2012. This work

will leave counsel without adequate time to prepare a brief in this matter. The extension requested is commensurate with an extension granted to the United States to accommodate similar competing demands on the time of its counsel.

We have consulted with opposing counsel, Sambhav N. Sankar, who informs us that the United States does not oppose this motion.

Dated: February 23, 2012

Respectfully submitted,

/s/ F. William Brownell

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CERTIFICATE OF SERVICE

Pursuant to Rule 25 of the Federal Rules of Appellate Procedure, I hereby certify that, on this 23rd day of February, 2012, I caused the foregoing Unopposed Motion for Extension of Time to be electronically filed with the Clerk of the Court for the United States Court of Appeals for the Sixth Circuit through the Court's CM/ECF system. All registered CM/ECF users will be served by the Court's CM/ECF system.

/s/ F. William Brownell

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